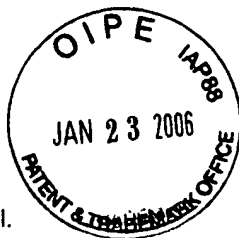


FORM PTO -1083
MAIL STOP: AMENDMENT
COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, VA 22313-1450



Docket No.: 900.1009US
Date: January 19, 2006

3FW

In re application of: Wei CHEN, et al.
Serial No.: 10/821,473
Filed: April 8, 2004
For: PREPARATION AND PURIFICATION OF SYNTHETIC CAPSAICIN

Sir:
Transmitted herewith is an Information Disclosure Statement (2 pages) in the above-identified application.

- ☐ Small entity status of this application under 37 C.F.R. 1.9 and 1.27 has been established.
- ☐ A verified statement to establish small entity status under 37 C.F.R. 1.9 and 1.27 is enclosed.
- ☒ No fee for additional claims is required.
- ☐ A filing fee for additional claims calculated as shown below, is required:

		(Col. 1)	(Col. 2)	SMALL ENTITY			OR	LARGE ENTITY	
FOR:		REMAINING	HIGHEST	RATE	FEE			RATE	FEE
		AFTER	PREVIOUSLY	PRESENT					
		AMENDMENT	PAID FOR		EXTRA				
18 \$	TOTAL CLAIMS	* Minus 20** =			x \$ 9 \$			x \$	
86 \$	INDEP. CLAIMS	* Minus 3*** =			x \$ 43 \$			x \$	
\$290 \$	[] FIRST PRESENTATION OF MULTIPLE DEP. CLAIM				+ \$145 \$			+	
				TOTAL: \$	OR		TOTAL: \$0.00		

- * If the entry in Co. 1 is less than the entry in Col. 2, write "0" in Col. 3.
- ** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, write "20" in this space.
- *** If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, write "3" in this space.

- ☒ Also transmitted herewith are:
- ☒ Form PTO 1449 (1 pages);
 - ☒ copy of the reference cited therein (6 pages);
 - ☒ Appendix A, containing a copy of the International Search Report issued in connection with International Patent Application No. PCT/US04/10745 (3 pages); and
 - ☒ Return receipt postcard.
- ☐ Check(s) in the amount of \$0.00 is/are attached to cover:
- ☐ Filing fee for additional claims under 37 C.F.R. 1.16
 - ☐ Petition fee
- ☒ The Commissioner is hereby authorized to charge payment of the following fees associated with this communication or credit any overpayment to Deposit Account No. 50-0552.
- ☐ Any filing fee under 37 C.F.R. 1.16 for the presentation of additional claims which are not paid by check submitted herewith.
 - ☒ Any patent application processing fees under 37 C.F.R. 1.17.
 - ☒ Any petition fees for extension under 37 C.F.R. 1.136 which are not paid by check submitted herewith, and it is hereby requested that this be a petition for an automatic extension of time under 37 CFR 1.136.

Richard V. Zanzalari, Reg. No. 49,032
DAVIDSON, DAVIDSON & KAPPEL, LLC
485 Seventh Avenue, 14th Floor
New York, New York 10018
Tel: (212) 736-1940
Fax: (212) 736-2427

I hereby certify that this correspondence and/or documents referred to as attached therein and/or fee are being deposited with the United States Postal Service as "first class mail" in an envelope addressed to Mail Stop: Amendment "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" on January 19, 2006.

BY:
Windy Richards



900.1009

UNITED STATES PATENT AND TRADEMARK OFFICE

Examiner: Sabiha Naim QAZI, Art Unit: 1614
Re: Application of: Wei CHEN et al.
 Serial No.: 10/821,473
 Filed: April 8, 2004
 For: **PREPARATION AND PURIFICATION OF
SYNTHETIC CAPSAICIN**

**INFORMATION DISCLOSURE
STATEMENT UNDER 37 C.F.R. § 1.56**

Mail Stop: Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

January 19, 2006

Sir:

In accordance with the provisions of 37 C.F.R. § 1.97, Applicants hereby make of record the document listed on the accompanying Form PTO-1449 (1 sheet) for consideration by the Examiner in connection with the examination of the above-identified patent application. Pursuant to 37 C.F.R. § 1.98 (a), a copy of this document is enclosed.

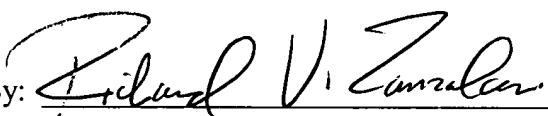
Applicants note that reference "AM" on the enclosed Form PTO-1449 was cited in the International Search Report ("ISR") issued in connection with International patent application No. PCT/US04/10745. A copy of the ISR is attached as Appendix A.

Applicants further note that U.S. 4,493,848 cited in the ISR was previously made of record in the Information Disclosure Statement dated August 18, 2005 (Reference "AC").

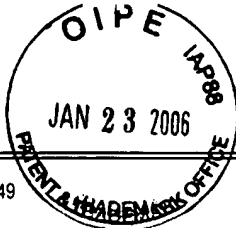
It is respectfully requested that the reference cited in the accompanying Form PTO-1449 (1 sheet) be considered and made of record.

This Information Disclosure Statement is filed under 37 C.F.R. § 1.97 (b), before the mailing of a first Office Action, and is filed less than three month after each item of information contained in the Information Disclosure Statement was first cited in any communication from a foreign patent office in a counterpart foreign application. Accordingly, no fee is believed due. In the event any fee is due in connection with the filing of this Information Disclosure Statement, the Commissioner is hereby authorized to charge said deficiency or credit overpayment to our Deposit Account No. 50-0552.

Respectfully submitted,
DAVIDSON, DAVIDSON & KAPPEL, LLC

By: 
Richard V. Zanzalari
Reg. No. 49,032

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New York, New York 10018
(212) 736-1940

FORM PTO-1449
(REV. 7-80)U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICEATTY. DOCKET NO.:
900.1009USSERIAL NO.:
10/821,473

LIST OF PRIOR ART CITED BY APPLICANT

(Use several sheets if necessary)

APPLICANT(S):
Chen et al.FILING DATE:
April 8, 2004GROUP:
1614

U.S. PATENT DOCUMENTS

*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	AA						
	AB						
	AC						
	AD						
	AE						
	AF						
	AG						

FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO
	AH							
	AI							
	AJ							
	AK							
	AL							

OTHER PRIOR ART (Including Author, Title, Date, Pertinent Pages, Etc.)

	AM	Argentation HTPLC as an Effective Separation Technique for the cis/trans Isomers of Capsaicin, P.Wall, Journal of Planar Chromatography-Modern TLC, 1997 Vol. 10, No. 1, page 4-9.
	AN	
	AO	
	AP	
	AQ	
	AR	
	AS	

EXAMINER

DATE CONSIDERED

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.